



ATTORNEY DOCKET NO.: EMP04-19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): George Friedman
Serial No.: 09/638,828
For: METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT
TESTING
Filing Date: August 14, 2000
Examiner: Mary J. Steelman
Art Unit: 2122
Conf. No.: 9533

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

Date: June 20, 2005

By: Mary A. Maietta
(Typed or printed name of person mailing
Document, whose signature appears below)

Signature: Mary A. Maietta

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

PETITION UNDER 37 CFR §1.48(a) TO CORRECT INVENTORSHIP

Dear Sir:

The undersigned, on behalf of the Applicants and the Assignee herein, petitions the Commissioner in accordance with 37 C.F.R. §1.48(a) to correct the inventorship of the above-identified application by adding the names Walter Vahey, Michael Glik, and

- 2 -

Caren Baker, as co-inventors.

The failure to name the correct inventors was caused by an error. Submitted herewith is a statement from the inventors to be added establishing that the error in inventorship occurred without deceptive intention on their part.

Respectfully submitted,

By: David W. Rouille
David W. Rouille, Esq.
Attorney for Applicants
U.S.P.T.O. Registration No.: 40,150
CHAPIN & HUANG, L.L.C.
Westborough Office Park
1700 West Park Drive
Westborough, Massachusetts 01581
United States of America
Telephone: (508) 366-9600
Facsimile: (508) 616-9805

Attorney Docket No.: EMP04-19

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Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

**STATEMENT OF ADDED INVENTORS IN SUPPORT OF
PETITION UNDER 37 CFR §1.48(a) TO CORRECT INVENTORSHIP**

Dear Sir:

We, the inventors being added to the above-identified application do hereby

06/23/2005 RMEBRAHT 00000039 09638828
02 FC:1464 130.00 OP

- 2 -

declare that an error occurred in naming the inventors of the above-identified application and that the error occurred without deceptive intention on our part.

We, hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful statements and the like so made are punishable by fine or imprisonment or both under 18 USC §1001, and may jeopardize the validity of the application or any patent issuing thereon.

Date: 5/23/2005


Signature of Walter Vahey

Date: _____

Signature of Michael Glik

Date: _____

Signature of Caren Baker



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Alexandria, Virginia 22313-1450

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PETITION UNDER 37 CFR §1.48(a) TO CORRECT INVENTORSHIP**

Dear Sir:

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- 2 -

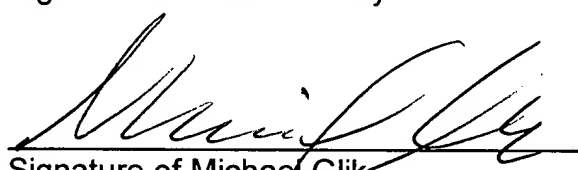
declare that an error occurred in naming the inventors of the above-identified application and that the error occurred without deceptive intention on our part.

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Date: _____

Signature of Walter Vahey

Date: 06/01/2005



Signature of Michael Glik

Date: _____

Signature of Caren Baker



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Dear Sir:

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- 2 -

declare that an error occurred in naming the inventors of the above-identified application and that the error occurred without deceptive intention on our part.

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Date: _____

Signature of Walter Vahey

Date: _____

Signature of Michael Glik

Date: 5/20/05

Caren Baker
Signature of Caren Baker



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Signature: Mary A. Maietta

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

CONSENT OF ASSIGNEE TO CORRECT INVENTORSHIP
PURSUANT TO 37 C.F.R. §1.48(a)

Dear Sir:

The undersigned, a representative of Empirix Inc., represents that Empirix Inc., is the owner of the entire right, title and interest of Application Serial No. 09/638,828, filed on August 14, 2000 for "METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT TESTING" by virtue of an Assignment executed on May 23, 2005 by Walter

06/17/2005 15:29 FAX 9786949018

EMPIRIX

003

U.S. Application No.: 09/638,828Attorney Docket No.: EMP04-19

- 2 -

Vahey, an Assignment executed on June 1, 2005 by Michael Glik, and an Assignment executed on May 20, 2005 by Caren Baker.

The undersigned hereby certifies that the above-mentioned Assignments have been reviewed and to the best of the undersigned's knowledge and belief, title is in Empirix Inc., who is seeking to take this action.

The undersigned (whose title is supplied below) is empowered to sign this consent statement on behalf of the assignee.

Empirix Inc., hereby consents to the correction of inventorship in connection with the above-identified application whereby the names of Walter Vahey, Michael Glik, and Caren Baker are added as co-inventors.

Date: _____

6/17/05_____
SignatureCEO_____
Title



DECLARATION AND POWER OF ATTORNEY FOR UNITED STATES LETTERS PATENT APPLICATION

As a below-named inventor, I, George Friedman, hereby declare that:

My residence, post-office address and citizenship are as stated below next to my name.

I believe I am an original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled: **METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT TESTING** the specification which is attached hereto and identified as Attorney Docket No. EMPIR-013PUS.

I hereby state that I have reviewed and understand the contents of the above-identified application specification, including the claims, as amended by any amendment specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Country	Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC §119
			_ Yes No _
			_ Yes No _

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Patent
Attorney Case No. EMPIR-013PUS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

Application Number	Date of Filing (month, day, year)	Priority Claimed Under 35 USC §119(e)
60/151,418	08/30/99	<input checked="" type="checkbox"/> Yes No <input type="checkbox"/>
		<input type="checkbox"/> Yes No <input type="checkbox"/>
		<input type="checkbox"/> Yes No <input type="checkbox"/>

I hereby claim the benefit under Title 35, United States Code §120, of the United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

Application Number	Date of Filing (month, day, year)	Status (Patented/Pending/Abandoned)
09/482,178	01/12/00	Pending

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

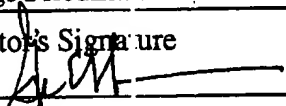
Christopher S. Daly	Reg. No. 37,303
Judith C. Crowley	Reg. No. 35,091
Donald F. Mofford	Reg. No. 33,740
Paul D. Durkee	Reg. No. 41,003
Barry Gaiman	Reg. No. 42,562
Richard M. Sharkansky	Reg. No. 25,800
David W. Rouille	Reg. No. 40,150
Kermit Robinson	Reg. No. 48,734
Robert V. Klauzinski	Reg. No. 42,742

- Patent
Attorney Case No. EMPIR-013PUS

all of Daly, Crowley & Mofford, LLP, 275 Turnpike Street - Suite 101, Canton MA 02021-2310, jointly, and each of them severally, my attorneys at law, with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Please direct all telephone calls and address all correspondence to:

David W. Rouille
Daly, Crowley & Mofford, LLP
275 Turnpike Street - Suite 101
Canton, MA 02021
Telephone No. (781) 401-9988
Facsimile: (781) 401-9966

Full name of first or sole Inventor George Friedman	
Inventor's Signature 	Date 6/13/2002
Residence 19 Flanagan Drive, Framingham, MA 01701	
Country of Citizenship United States	



THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT TESTING

the specification of which (check one)

☐ is attached hereto.

☒ was filed on August 14, 2000 as United States Application Serial No.: 09/638,828

and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

60/151,418

(Application Number)

August 30, 1999

(Filing Date)

(Application Number)

(Filing Date)

-2-

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

09/482,178	January 12, 2000	Pending
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing date)	_____ (Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

Barry W. Chapin, Esq.	Reg. No. 39,934
David E. Huang, Esq.	Reg. No. 39,229
Christopher J. Lutz, Esq.	Reg. No. 44,883
Paul P. Kriz, Esq.	Reg. No. 45,752
David W. Rouille, Esq.	Reg. No. 40,150
James F. Thompson, Esq.	Reg. No. 36,699

of Chapin & Huang, L.L.C., Westborough Office Park, 1700 West Park Drive, Westborough, Massachusetts 01581.

Please send correspondence to: David W. Rouille, Esq.

Chapin & Huang, L.L.C., Westborough Office Park, 1700 West Park Drive, Westborough, MA 01581

Direct telephone calls to: David W. Rouille, Esq. Telephone No.: 508-366-9600

Direct facsimiles to: David W. Rouille, Esq. Facsimile No.: 508-616-9805

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Full name of sole

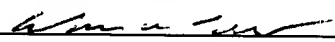
or first inventor George Friedman

Inventor's Signature _____ Date _____

Residence 19 Flanagan Drive, Framingham, MA 01701

Citizenship United States of America

Post Office Address Same as above

Full name of second jointinventor, if any Walter VaheyInventor's Signature  Date 5/23/2005Residence 2 Ware Road, Winchester, MA 01890Citizenship United States of AmericaPost Office Address Same as above

Full name of third joint

inventor, if any Michael Glik

Inventor's Signature _____ Date _____

Residence 44 Sharpe Road, Newton, MA 02459Citizenship United States of AmericaPost Office Address Same as above

Full name of fourth joint

inventor, if any Caren Baker

Inventor's Signature _____ Date _____

Residence 188 Bishops Forest Road, Waltham, MA 02452Citizenship United States of AmericaPost Office Address Same as above



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT TESTING

the specification of which (check one)

☐ is attached hereto.

☒ was filed on August 14, 2000 as United States Application Serial No.: 09/638,828

and was amended on _____ (if applicable).

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<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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60/151,418 (Application Number)	August 30, 1999 (Filing Date)
_____ (Application Number)	_____ (Filing Date)

-2-

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<u>09/482,178</u>	<u>January 12, 2000</u>	<u>Pending</u>
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
_____	_____	_____
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_____	_____	_____

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David E. Huang, Esq.	Reg. No. 39,229
Christopher J. Lutz, Esq.	Reg. No. 44,883
Paul P. Kriz, Esq.	Reg. No. 45,752
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of Chapin & Huang, L.L.C., Westborough Office Park, 1700 West Park Drive, Westborough, Massachusetts 01581.

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Full name of sole
or first inventor George Friedman

Inventor's Signature _____ Date _____

Residence 19 Flanagan Drive, Framingham, MA 01701

Citizenship United States of America

Post Office Address Same as above

-3-

Full name of second jointinventor, if any Walter Vahey

Inventor's Signature _____ Date _____

Residence 2 Ware Road, Winchester, MA 01890Citizenship United States of AmericaPost Office Address Same as above

Full name of third joint

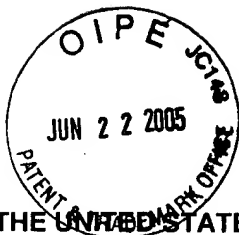
inventor, if any Michael GlikInventor's Signature  Date 06/01/2005Residence 44 Sharpe Road, Newton, MA 02459Citizenship United States of AmericaPost Office Address Same as above

Full name of fourth joint

inventor, if any Caren Baker

Inventor's Signature _____ Date _____

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_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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_____ (Application Number)	_____ (Filing Date)

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(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)

[illegible]

(Application Serial No.)	(Filing date)	(Status: patented, pending, abandoned)
09/678,000	03/20/2000	Patented
09/678,001	03/20/2000	Pending
09/678,002	03/20/2000	Abandoned

[illegible]

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

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of Chapin & Huang, L.L.C., Westborough Office Park, 1700 West Park Drive, Westborough, Massachusetts 01581.

Please send correspondence to: David W. Rouille, Esq.

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Direct telephone calls to: David W. Rouille, Esq. Telephone No.: 508-366-9600

Direct facsimiles to: David W. Rouille, Esq. Facsimile No.: 508-616-9805

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor _____ George Friedman

Inventor's Signature _____ Date _____

Residence 19 Flanagan Drive, Framingham, MA 01701

Citizenship United States of America

Post Office Address Same as above

Full name of second jointinventor, if any Walter Vahey

Inventor's Signature _____ Date _____

Residence 2 Ware Road, Winchester, MA 01890Citizenship United States of AmericaPost Office Address Same as above

Full name of third joint

inventor, if any Michael Glik

Inventor's Signature _____ Date _____

Residence 44 Sharpe Road, Newton, MA 02459Citizenship United States of AmericaPost Office Address Same as above

Full name of fourth joint

inventor, if any Caren BakerInventor's Signature *Caren Baker* Date 5/20/05Residence 188 Bishops Forest Road, Waltham, MA 02452Citizenship United States of AmericaPost Office Address Same as above



ATTORNEY DOCKET NO.: EMP04-19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): George Friedman
Serial No.: 09/638,828
For: METHOD AND SYSTEM FOR WEB BASED SOFTWARE OBJECT
TESTING
Filing Date: August 14, 2000
Examiner: Mary J. Steelman
Art Unit: 2122
Conf. No.: 9533

Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450 on:

Date: June 20, 2005

By: Mary A. Maietta
(Typed or printed name of person mailing
Document, whose signature appears below)

Signature: Mary A. Maietta

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

AMENDMENT TO CORRECT INVENTORSHIP

Dear Sir:

Please correct the inventorship of the above-identified application by adding Walter Vahey, Michael Glik, and Caren Baker as co-inventors.

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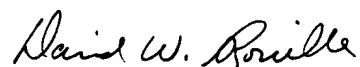
REMARKS

This Amendment is made in accordance with 37 CFR §1.48. Accompanying this Amendment is a Petition including a statement by the inventors being added, Walter Vahey, Michael Glik, and Caren Baker, establishing that the error occurred without deceptive intention on their part, and a Declaration by all of the actual inventors as required by 37 C.F.R. §1.63 and a written consent of the Assignee of this application. A check in the amount of \$130.00 as set forth in 37 C.F.R. §1.17(i) is attached.

Applicant hereby petitions for any extension of time which is required to maintain the pendency of this case. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 50-0901.

Please also charge an underpayment or credit any overpayment to Deposit Account No. 50-0901. A duplicate copy of this paper is attached.

Respectfully submitted,



David W. Rouille, Esq.
Attorney for Applicant(s)
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Attorney Docket No.: EMP04-19

Date: June 20, 2005